

SENATE BILL 2200
By Clabough

AN ACT to amend Tennessee Code Annotated, Title 2; Title 4; Title 5; Title 6; Title 7; Title 9; Title 12; Title 13; Title 26; Title 39; Title 40; Title 43; Title 45; Title 47; Title 49; Title 54; Title 56; Title 59; Title 62; Title 64; Title 66; Title 67; Title 68 and Title 69, to authorize the use of radio or television broadcast or other electronic media for public notice advertisements.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. As used in this act, unless the context otherwise requires:

(1) "Agency" means any department, division, board, bureau, commission, or other separate unit of government created or established by the constitution, by law or pursuant to law, including the legislative branch and the judicial branch.

(2) "Governing authority" means "governing body" as this term is defined in § 8-44-102(b)(1), and includes the board of directors of any not-for-profit corporation authorized by the laws of Tennessee to act for the benefit or on behalf of any one or more counties, cities, towns and local governments and created pursuant to the provisions of Tennessee Code Annotated, title 7.

SECTION 2.

(a) Any person, agency, governing authority, or official who is required by law to publish any notice may, at its discretion, publish such notice by radio or television broadcast, or other electronic media, when such agency, governing authority, official or person determines that the public interest will be served thereby.

(b) In the event that such notice is in lieu of newspaper publication, the agency, governing authority, official or person shall also maintain a complete text of the notice on the agency, governing authority, officer or person's official website for a period of at least two (2) years from the date of publication.

SECTION 3.

(a) A copy of the text of each public announcement made by radio or television broadcast shall be retained at the office of the broadcaster for a period of twenty-four (24) months subsequent to such publication. Such copy shall be available for public inspection during normal business hours.

(b) Proof of publication of legal notice or notice of event by radio or television broadcast shall be by affidavit of the manager, accounting manager, or program director of the station which made the publication.

SECTION 4. Charges made by broadcasters for publication of legal announcements shall be comparable to those charged by the station to commercial customers. Any contract rates or volume discounts normally given to commercial customers shall be available to agencies, governing authorities, officials or persons who cause publication to be made over the broadcast media.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.